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February 25, 2002

Commissioner for Patents  
Washington, D.C. 20231

Re: Inventor: Harold R. Garner  
Patent Application Entitled: DIGITAL OPTICAL CHEMISTRY  
MICROMIRROR  
Serial No.: 09/776,202  
Filed: February 2, 2001  
Our File No.: 119929-1028

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, Washington, D.C. 20231 on February 25, 2002.

Paula Albelda Nudelman  
Signature

Paula Albelda Nudelman  
Typed or printed name of person signing certificate

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Dear Sir:

Enclosed for filing in connection with the above-referenced patent application are the following documents:

1. Supplemental Information Disclosure Statement (3 pp.);
2. Form PTO 1449 with four (4) references; and
3. Return postcard.

Please file the above-referenced documents and return the date-stamped postcard to our office at the above address. It is believed that no additional fees are due. If this is incorrect, the Commissioner is hereby authorized to charge any fees due which may be required by this paper to Deposit Account No. 07-0153.

In the meantime, if you have any questions or comments concerning any of the above, please call the undersigned at your convenience. Otherwise, please accept the enclosed.

Respectfully submitted,  
Gardere Wynne Sewell LLP



Edwin S. Flores  
Registration No. 38,453

ESF:pan:1111240.1

Enclosures

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U.S. PATENT AND TRADEMARK OFFICE  
REGISTRATION

Attorney Docket No.: 119929-1028



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: Harold R. Garner

Examiner: James Phan

Divisional of Serial No.: 09/776,202

Art Unit: 2872

Filed: February 2, 2001

For: DIGITAL OPTICAL CHEMICAL MICRO MIRROR

Commissioner for Patents  
Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT**

As listed on the accompanying form PTO-1449, submitted herewith is a copy of the indicated reference which Applicant believes may be material to the examination of the above-identified application, and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

The filing of this Supplemental Information Disclosure Statement shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Further, the filing of this Supplemental Information Disclosure Statement shall not be construed as an admission against interest in any manner. Written notification that the enclosed references have been considered in their entirety by return of a copy of the enclosed form, completed by the Examiner, is respectfully requested.

**IDENTIFICATION OF TIME OF FILING THE  
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

This Information Disclosure Statement is being filed within three months of the filing date of the national application.

Date of Deposit February 25, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231

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This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in §1.491 in an international application.

This Supplemental Information Disclosure Statement is being filed before the mailing date of the First Office Action on the merits.

This Supplemental Information Disclosure Statement is being filed after three months of the filing date of the national application or after three months of the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office Action on the merits, but before the mailing date of either a final action under § 1.113 or a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application.

Accompanying this transmittal is:

a statement specified in 37 CFR § 1.97(e); or

a fee set forth in 37 CFR § 1.17(p)

This Information Disclosure Statement is being filed after the mailing date of a final action under § 1.113, or a notice of allowance under § 1.311 but before the payment of the issue fee.

Accompanying this transmittal is:

1. a statement as specified in 37 CFR § 1.97(e); and
2. a fee set forth in 37 CFR § 1.17(p)

STATEMENT FOR INFORMATION DISCLOSURE STATEMENT 37 CFR 1.97(e)  
(Only if Required Above)

I, the person(s) signing below hereby states that:

each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 CFR § 1.97(e)(1); or

no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in the counterpart foreign application to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 CFR § 1.97(e)(2).

FEE PAYMENT

attached is a check in the amount of \$ \_\_\_\_\_

charge Deposit Account No. 07-0153  
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**A duplicate of this request is attached.** Applicant believes no are due for the filing of this Supplemental Information Disclosure Statement. However, if any additional fees are due, or any overpayments have been made, please charge, or credit, Deposit Account No. 07-0153.

Dated: February 25, 2002

  
\_\_\_\_\_  
Edwin S. Flores  
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